

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KAZIA DIGO, INC., a Washington
Corporation,

Plaintiff,

v.

SMART CIRCLE INTERNATIONAL, LLC,
a Delaware Limited Liability Company,

Defendant.

NO. C11-0544RSL

ORDER DENYING MOTION TO
RE-NOTE MOTION FOR PARTIAL
SUMMARY JUDGMENT

This matter comes before the Court on “Defendant Smart Circle International, LLC’s Motion for Leave to File Re-Noted Motion for Partial Summary Judgment.” Dkt. # 54. As noted in the Court’s “Order Striking Notice of Re-Note” (Dkt. # 53), a party may not unilaterally re-note its motion after the opposing party has filed a timely response. The efficiency and judicial economy arguments raised by defendant should have been considered – and acted upon – in a timely manner prior to the filing of the response.

Defendant’s motion is fully briefed and remains noted on the Court’s calendar for July 13, 2012. Defendant did not request oral argument in its motion as required by Local Civil Rule 7(b)(4), and plaintiff has now waived its request. The Court will therefore review the issues and arguments presented before determining whether to schedule oral argument.

ORDER DENYING MOTION TO RE-NOTE
MOTION FOR PARTIAL SUMMARY JUDGMENT

1 Dated this 27th day of August, 2012.

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3 Robert S. Lasnik

4 Robert S. Lasnik
5 United States District Judge
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